

District II Advisory Board Minutes

September 14, 2009

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The District II Advisory Board meeting was held at 7:00 p.m. at Fire Station #20 located at 2255 S. Greenwich Road. CM Schlapp was in attendance, (11) board members attended, (5) staff and approximately (10) citizens were in attendance. Only those individuals who signed in are listed as guests below.

Members Present

Aaron Mayes
Max Weddle
Daryl Crotts
Marty Weeks
Paula Hancock
Tom Roth
Dave Mollhagen
Phil Ryan

Sarah Devries
Brian Carduff
April Leason

Staff Present

Antione Sherfield- Neighborhood Assistant
Donna Goltry – Planning Department
Officer Lowe – Wichita Police Department
Chief Lawson - Wichita Fire Department
Natalie Snyder – Environmental Services

Guests

Listed below

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 7:00 p.m. CM Schlapp welcomed everyone and explained how the DAB meeting is conducted. DAB members did introductions.

APPROVAL OF MINUTES AND AGENDA

- **September Agenda (11-0)**
- **August Minutes approved (11-0)**

PUBLIC AGENDA

1. David Creveling, 108 Bonnie Brae,

Mr. Creveling stated that he was contacted by City Staff in regard to a fence that was put up at Peach Tree Street and Heather Street. Apparently, someone from the Bonnie Brae sub-division put up a fence to prevent traffic from entering neighborhood.

They would like to keep up the fence but the owner of the motel would like it taken down. He was instructed to contact his City Council Member to see how to proceed with this issue.

CM Schlapp stated that City Staff would schedule a meeting with Mr. Creveling to visit about the issue.

2. Daryl Crotts, Wilderness Estates

Mr. Crotts spoke to the DAB Board about the Wichita Storm Water Program. Mr. Crotts and a number of other Commercial Developers major concerns regarding this item. He stated that if this item is passed at the City Council meeting, it will have a significant impact on the City of Wichita especially to the Real Estate community.

Mr. Crotts shared the following comments:

- **The document is cumbersome and at times confusing.**
- **A procedural template would be useful to assist developers in maneuvering through the process of acquiring the necessary approvals and permits.**
- **Time limits for the response and approval phase of documents submittals have not been specified.**
- **There needs to be better defined timeline and criteria for city review and approval at each phase of the process.**
- **A pre-approval review process of an applicant under 40 acres should be reserved for those sites that are in a sensitive watershed or environment and/or the receiving water body is an impaired water.**
- **Lastly, Mr. Crotts stated that he and other in the community opposed the draft storm water control program.**

CM Schlapp encouraged Mr. Crotts to attend the Council Meeting tomorrow so he could share his concerns in person with the City Council.

STAFF REPORT

3. Community Police Report

Officer Lowe provided information pertaining to current crime trends in District II. Officer Lowe stated that Patrol East and Patrol North will be experimenting with Intelligence Hubs. This will promote more communication between Officers. He also stated that there have been some thefts within the Parks and Recreation Department. Apparently, people are stealing aluminum bleachers from Park sites.

CM Schlapp thanked Officer Lowe and the Wichita Police Department for the fine work they provide the community.

Recommended Action: Receive and file

4. Community Fire Report

Battalion Chief Lawson provided information pertaining to Fire Service calls in District II. Chief Lawson there was one (1) accidental fire at 11502 E. Lynwood that caused 27,000 dollars of damage. He also stated an all Wichita Fire Fighters have been encouraged to get the Flu Shot. They are also discussing a strategic plan in case a large number of Fire Fighters come down with the Flu and are not able to report to scheduled shift.

CM Schlapp applauded Chief Lawson and the Fire Department for the great services they provide our community.

Recommended Action: Receive and file

NEW BUSINESS

4. CUP2009-00026/ZON2009-00027

Donna Goltry, Planning Department, provided information pertaining to City Commercial CUP, Harry and Webb Commercial CUP (association with ZON2009-00027); generally located South of Harry Street and East of Webb Road.

The applicant proposes to create DP-321 Harry and Webb Commercial Community Unit Plan (“CUP”) south of Harry Street and east of Webb Road. The CUP would be zoned LC Limited Commercial (“LC”) and would consist of a single lot with a skinny strip of access to Webb Road and a limited amount of frontage on Harry Street, but ballooning out to a 10.00-acre single parcel located south and east of the strip of commercial uses already in place directly fronting these arterial street. Total size of the CUP is 10.33 acres. CUP2009-00026 is accompanied by ZON2009-00027, which is a rezoning of approximately four acres on the southeast portion of the proposed CUP. Currently, this property is zoned SF-5 Single-Family Residential (“SF-5”).

The LC zoning on the CUP consists of a portion of the LC commercial corner zoned in 1958. Additional commercial zoning was added along Webb Road in 2002 (ZON2002-00005) and 2.4 acres along Harry Street in 2005 (ZON2005-00017).

Uses permitted would be those allowed by right in the LC district except: adult entertainment, sexually oriented business, correctional placement residences, night club, and tavern and drinking establishment. Activities prohibited within 200 feet of residential uses include: drive-through windows, convenience stores, service stations and vehicle repair, limited. Additional restrictions are to prevent headlights associated with queuing lanes from shining into residential zoning, overhead doors associated with vehicle repair would be prohibited within 200 feet of residential uses and not be allowed to face residential zoning districts and noise is restricted.

CUP provisions include maximum building coverage of 30 percent, maximum floor area of 35 percent of lot area, maximum height of 35 feet. Number of buildings specified is two. Setbacks are 100 feet on the south property line, and 35 feet along the north, west and east property line.

Consistency is called for in architecture, lighting standards of 25 feet for most of the parcel, but reduced to 15 feet within 200 feet of the south property line. It also calls for consistency in signage and landscaping. It provides for pedestrian connectivity between buildings and the main roads and internal circulation and smooth vehicular flow within the parcel. A screening wall of six to eight feet in height is required abutting residential zoning.

The signage provisions for freestanding signage stipulate one monument-style sign 24 feet in height for each frontage, with a size of 160 square feet each. The frontage on Webb Road is only 60 feet, which by the Wichita Sign Code would be entitled to a sign limited to 48 square feet in size. Harry Street would be entitled to a sign limited to 208 square feet. Combined, the amount allotted to both streets would be 256 square feet, which is below the 320 square feet requested. The Wichita Sign Code does not provide for increasing the total amount of signage or redistributing the allotment among the two CUP frontages. Signage is not specifically named as a requirement eligible for waiver by the Unified Zoning Code in Article III, Section III-C.2.d although sign control is listed as one of the purposes of the CUP in Article III, Section III-C.2.a. If the governing body approves the sign amount as requested, it constitutes an override of Wichita Sign Code by the Unified Zoning Code under the authority for waivers, and the grounds for this waiver is when the governing body determines the waiver constitutes good planning practice and furthers the objectives of the Comprehensive Plan. In terms of current conditions, Webb Road already has three signs along the stretch between the CUP and the intersection (Subway approximately 100 feet to the north, then Taco Shop, then QuikTrip all within 350 feet). The vacant parcel, which lies outside the CUP although the strip of access in the CUP is carved from this parcel) would add another sign, allowing three signs within 100 feet which is beyond the desired spacing.

Other sign provisions include prohibiting portable, billboard and off-site signs, limiting window signage to 25 percent of window area, prohibiting building signs on the south façade and limiting flashing signs to those for public service type messages.

A convenience store is located at the southeast corner of the intersection of Webb Road and Harry Street. Other commercial uses along the south side of Harry Street east of Webb Road include a car wash and a tire, battery and accessory store. Other commercial uses along the east side of Webb Road south of Harry include two fast food restaurants and a vacant retail tract. All of these uses are located on property zoned LC and all adjoin the proposed CUP on its interior northern and western boundary line. The tract of land east of the proposed CUP is zoned GC General Commercial (“GC”), GO General Office (“GO”) and TF-3 Two-Family Residential (“TF-3”) and SF-5. A church owns this site and has a building along Harry; much of the site is vacant. It used to be a nursery business. The residential subdivision located east of the church is zoned SF-5. The property south of the proposed CUP is developed with the Brentwood residential development and is zoned SF-5. The CUP shares a common property line with the northern edge of this development. A large-lot single-family home and a church are located to the southwest of the CUP. A mini-storage warehouse, an office

complex and a condominium zoned MF-18 Multi-Family Residential (“MF-18”) are developed to the north of the CUP. In the vicinity of the intersection of Harry and Webb, all four corners are developed commercially, with a bank, and two strip commercial buildings to the northeast, a Dillons to the northwest, and a Walgreens and fast food restaurant, a residence and a vacant tract to the southwest. A large lot residence and a vacant tract remain farther south on the west side of Webb across from the CUP entrance. North of the CUP frontage on Harry Street are located a freestanding restaurant, a mini-storage warehouse, a cluster of office buildings and a condominium development with about 16 dwelling units zoned MF-18 Multi-Family Residential (“MF-18”).

CASE HISTORY: The SF-5 property and approximately ¼ acre of LC property is unplatted. The remaining land is covered by three subdivision plats, including, Webb Road Addition, recorded October 2, 1974, Subway Addition, recorded May 8, 2003 and Nguyen Addition, recorded October 9, 2007.

ADJACENT ZONING AND LAND USE:

NORTH:	LC, GO, MF-18	Warehouse, self-service storage, offices, condominiums, restaurant
EAST:	GC, SF-5, GO, TF-3, SF-5	Church, vacant land owned by church, single-family residential
SOUTH:	SF-5	Single-family residential, church
WEST:	LC, GO, SF-5	Retail, grocery, drug store, commercial strip centers, bank, fast-food restaurants, vacant, residence

Citizens from the surrounding residential area had the following concerns and comments.

- **How close will the wall backup to residential neighborhood**
- **What will take place on the East side of the commercial lot**
- **Will there be at least a 100 ft. of buffer between the wall and residential area**
- **Inquisitive in regard to who will be renting commercial space**
- **Will residents still have access to walk through lot once built**
- **Will there be some sort of pond on the commercial development**

Recommended Action: The **DAB** voted (11-0) to approve the recommendation as the MAPC did with addition of restricting of any **LED/Digital** signs from being part of signage.

5. **Lower Arkansas River Water Quality and the Wichita Watershed Assessment Restoration and Protection Strategy (WRAP) Program**

Natalie Snyder, Environmental Department presented information in reference to the Lower Arkansas River Water Quality and the Wichita Watershed Assessment Restoration and Protection Strategy (WRAP) Program.

Environmental Services (ES), under a grant agreement with the Kansas Department of Health and Environment (KDHE), is actively engaged in developing a WRAPS Program for the Lower Arkansas River watershed within the City limits. ES has retained Geotechnical Services Inc., (GSI) to help complete initial grant requirements. This project is part of a coordinated effort by City of Wichita and Sedgwick County, as well as other federal, state, local agencies and private sector organizations to develop a watershed restoration and protection strategy for the Arkansas River watershed. This Kansas program has been developed in part to provide state funding for making improvements in impaired river basins and lakes. KDHE has designated the Lower Arkansas River Basin and tributaries as “impaired” for certain water quality parameters and lists improvements as a high priority.

Analyses: The Wichita Watershed Assessment Protection Strategy (WRAPS) is a process where Wichita residents, businesses and other organizations including the City have the opportunity to identify watershed needs, and with guidance and technical assistance, develop an action plan to address those needs. This plan will include all streams and drainage areas that flow into the Arkansas River, including the Cowskin Creek, Dry Creek, Gypsum Creek, and Chisholm Creek, as well as, any storm drain in the Wichita City Limits.

The purpose of the development phase is to provide the public with watershed information and education as well as identify stakeholders and prioritize their issues and concerns. ES and GSI plan to hold informational community and neighborhood meetings to solicit input from the public. Once stakeholders have been identified, a leadership team comprised of a diverse group of stakeholders will be created to help guide the community through the various phases of the WRAPS project. A website; www.WichitaWRAPS.org is now available to communicate watershed and community meeting information, allow citizens to take a survey about the watershed, and sign up to participate as a stakeholder.

A fact sheet has been developed by the Environmental Services Department providing some information regarding water quality of the Lower Arkansas Basin as it flows through the City.

Financial Considerations: ES has received a \$50,000 development grant for Wichita WRAPS Phase I and assessment grant for \$60,000 for Wichita WRAPS Phase II. KDHE will consider funding projects after the City submits an action plan with priorities.

Recommended Action: Receive and file

With no further business, the meeting was adjourned at 8:15 p.m. The next DAB II Meeting will be October 5, 2009.

Respectfully Submitted,
Antione Sherfield, Neighborhood Assistant